

In re Application of:

Zhu et al.

Application No.: 09/927,110

Filed: August 10, 2001

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PATENT

Attorney Docket No.: SMART1240

II. REMARKS

Claims 1, 3-8, 15, 16, 20-22, 48-57, and 58-61 are pending and claims 48, 49, 51, 52 stand withdrawn from consideration as a non-elected invention under a restriction requirement. By the present amendment, claims 3, 6-8, 15, 20-22, 48-57 and 59-61 have been canceled without prejudice or disclaimer and new claim 62 has been added.

I. FORMAL MATTERS

Claims 20-22, 50 and 53-57 were objected to based on the assertion that they are a substantial duplication of claims 1, 3-8, 15 and 16 under 37 CFR 1.75. Claims 20-22, 50 and 53-57 have been canceled and accordingly this objection is moot.

Rejections Under 35 U.S.C. § 112

Claim 61 is rejected under 35 U.S.C 112, first paragraph, and claims 59 and 60 are rejected under 35 U.S.C 112, second paragraph. Claims 59-61 have been canceled and accordingly these rejections are moot.

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Rejections Under 35 U.S.C. § 102

Claims 1, 3-8, 15, 16, 20-22, 50, and 53-57 are rejected under 35 U.S.C. §102(b) as being anticipated by Bellgrau *et al.*, WO 95/32627, and by Queen *et al.*, U.S. Patent Number 6,046,310. The applicants respectfully submit that these rejections are moot in view of the claims as presently amended.

Conclusion

Applicant submits that the claims as amended are novel, non-obvious, and supported by the description, and respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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Lisa A. Haile, J.D., Ph.D.
Registration No. 38,347
Telephone: (858) 677-1456
Facsimile: (858) 677-1465

USPTO Customer Number 28213
GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1100
San Diego, CA 92121-2133